

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Home Department – Allegation of deliberate destruction and screening of evidence in a Murder case against Sri S.Rajendra Prasad, the then Sub-Divisional Police Officer, Peddapalli Sub-Division, Karimangar District – Sanction for Prosecution – Orders – Issued.

HOME (LEGAL.II) DEPARTMENT

G.O.Ms.No. 79

Dated: 11.03.2013

Read the following:

1. From the D.G.P., A.P., Hyd, Lr.Rc.No. 215/O2/2010, dt: 02.02.2011 along with the letter in C.No. 3402/C-15/CID/2010 of Additional DGP, CID, A.P., Hyderabad, dated: 07.01.2011
2. Govt.Memo.No.5803Legal.II/A2/2011-1, dated: 25.03.2011
3. Letter in C.No. 3402/C-15/CID/2010 of Additional DGP, CID, A.P., Hyderabad, dated: 16.04.2011.

ORDER:

Whereas, Sri S. Rajendra Prasad (A-2) previously Sub-Divisional Police Officer, Peddapalli Sub-Division, Karimnagar District joined as Civil Sub-inspector in Police Department, Government of Andhra Pradesh in the year 1989 and worked as Inspector of Police, Godavarikani I Town Police Station from 01.02.2008 to 26.02.2009, 13.06.2009 to 12.08.2009 and on promotion, he was posted as Deputy Superintendent of Police on 13.08.2009 and subsequently he was posted as Sub-Divisional Police Officer, Peddapalli on 09.11.2009 and that he worked as SDPO Peddapalli from 09.11.2009 to 26.03.2010 and as such he is a Public Servant, within the meaning of section 21 of the Indian Penal Code of 1860 and he is not removable from his office save by order and sanction of the Government and as such governed by directions for prosecution of public servant envisaged under section 197 of the Code of Criminal Procedure, 1973;

2. And whereas, it is reported by the Additional Director General of Police, Crime Investigation Department, Andhra Pradesh, Hyderabad, that the investigation in Cr.No. 37/2010 under section 302 of the Indian Penal Code, 1860 and section 27 of the Indian Arms Act of Gadavarikhani II Town Police Station was entrusted to CID by the Director General of Police, Andhra Pradesh, Hyderabad, and that the Additional Director General of Police, CID, Andhra Pradesh, Hyderabad, nominated Sri A.Venkateshwara Rao, Superintendent of Police, CID, GOW, Hyderabad as the investigation officer and that CID investigation disclosed that Sri S. Rajendra Prasad (A-2) Sub-Divisional Police Officer, Peddapalli met with an accident while he was bandobust duty in "Sammakka Sarakka" Jathara on 15.01.2010 near Pasra of Warangal District and he sustained fracture of his left collarbone and his movement had been restricted and that he has not moved from his head quarters at Peddapalli and that he submitted his itinerary report for the month of February 2010 stating that "I Could not move physically and I have attended office routine work and supervised the situation in the division";

3. And whereas, the investigation conducted by CID, disclosed that Sri S. Rajendra Prasad (A-2) while working as Sub-Divisional Police Officer, Peddapalli received an incoming short message at 18.59 hrs i.e., prior to the offence and two calls from the mobile phone of the Arukolu Srinivas @ Buggala Srinivas (A-1) after the offence i.e, at about 20-21 hrs and 20-48 hrs on 09.02.2010 and a short message (SMS) at 22-01 hrs and has informed about his involvement in the murder of the deceased Erragolla Ramesh, Constable of Godavarikhani I town Ps at OCP-III, CHP Bunker between 1930 hrs 2000 hrs, and that the accused Arakolu Srinivas (A-1) sought his help and requested him to come to Godavarikhani and on that Sri S. Rajendra Prasad (A-2) rushed to Government Area Hospital, Godavarikhani at about 2300 hrs on 09.02.2010, examined the body of the deceased in the mortuary, met the accused Buggala Srinivas (A-1), discussed with the duty doctor Dr.M.Satyanarayana Reddy (A-6) and Md.Habeeb Khan (A-4) Sub-Division of Police Officer, Godavarikhani, A.Vidyasagar (A-3), CI Traffic, Ramagundam Traffic PS and M.Venkatarama (A-5), CI Godavarikhani II Town PS and induced the family members with monetary financial benefits if preferred a complaint under road accident, influence the Duty doctor Dr.M.Satyanarayana Reddy (A-6) to conduct PME on the night of 09.02.2010 stating that the deceased died in a road accident, and pressurized Sri A.Vidyasagar (A-3) to register the crime as road accident and he also instructed the accused Buggala Srinivas (A-1) to draft out a complaint as if the crime was road accident but Accused-1 could write only two lines and was unable to write further, and that the brother of the deceased, Erragolla Krishna Murthy completed

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the writing of the remaining portion of the complaint as dictated by A.Vidyasagar (A-3) and handed over the complaint to Sri A.Vidyasagar, (A-3), the then Traffic CI, Ramagundam Traffic PS who registered the complaint as a "Road Accident" vide in Cr.No. 25/2010 under section 304-A of the Indian Penal Code, 1860 at 0100 hrs on 10.02.2010 and that Sri S. Rajendra Prasad (A-2) pressurized and influenced the Medical Officer Dr.M.Satyanarayana Reddy (A-6) to conduct favourable superficial postmortem examination though the injury was sustained by the deceased was due to a fire arm;

And whereas, Sri S. Rajendra Prasad (A-2) was in constant contact with the accused Buggala Srinivas (A-1) and facilitated by his acts to escape from the clutches of law and charge of murder and that he visited the wife of the deceased on 5th and 11th day obsequies ceremony and promised her monetary help and job;

And whereas, the investigation further disclosed that Sri S. Rajendra Prasad (A-2) by his previous close association with the accused Buggala Srinivas (A-1) and that earlier also he being an investigating officer, was instrumental in not bringing out the involvement of the said Buggala Srinivas in a murder case vide Cr.nos 256/2008 of Godavarikhani I Town Ps and in Cr.No. 204/2009 of Godavarikhani I town PS and he filed charge sheet by excluding the name of the accused Buggala Srinivas (A-1) and his associate Sudharshan @ Sudi while he was working as CI, Godavarikhani I Town PS;

And whereas, the investigation further disclosed that Sri S. Rajendra Prasad (A-2) created a false record that he was in the head quarters at Peddapalli during the relevant period, but traveled to Godavarikhani in private transport and influenced the wife of the deceased and successful in suppressing the fact of murder of Erragolla Ramesh, Police constable working in Godavarikhani I Town PS and that Sri S. Rajendra Prasad (A-2) by getting incorrect record framed under section 304-A of the Indian Penal Code, 1860 despite knowing truth that he was killed by Buggala Srinivas with a fire arm. Further Sri S. Rajendra Prasad influenced other Police officials and doctors and completely screened the evidence with an intention to save Buggala Srinivas from criminal liability is liable for destruction and screening of evidence and that the offences are punishable under sections 201, 217 and 218 read with section 34 of the Indian Penal Code, 1860;

And whereas, the Government of Andhra Pradesh after carefully examining the report is satisfied and consider that the above officer S. Rajendra Prasad (A-2) be prosecuted in a Court of Law for the above mentioned offences or any other offence relating to the above incident;

Now therefore, in exercise of the powers conferred under clause (b) of Sub-section (1) of section 197 of the Code of Criminal Procedure, 1973 (Act No.2., of 1974), the Government of Andhra Pradesh hereby accord sanction for prosecution of Sri S. Rajendra Prasad (A-2) for the offences punishable under sections 201, 217 and 218 read with section 34 of the Indian Penal Code, 1860 and for any other cognate offence that may arise on the facts of investigation punishable under the provisions of law in discharge of his official duties and for taking cognizance of the same by the Court of competent jurisdiction.

Further in exercise of the powers conferred by sub-section (4) of section 197 of the Code of Criminal Procedure, 1973 (Act 2 of 1974), the Government of Andhra Pradesh hereby authorize the Superintendent of Police, CID/GOW/Hyderabad to prosecute the above mentioned accused for the above said offences in the court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**T.P.DAS
PRINCIPAL SECRETARY TO GOVERNMENT**

To
The Director Genera of Police, A.P., Hyderabad

Copy to:

The Law (E) Department
The P.S to Secretary (LA & J) Department
The P.S to Prl.Secy, Home Department.
C.No. 5803/Legal.II/A2/2011
SF/SC.